PUBLIC WELFARE COMMITTEE
Tuesday, August 13, 2019
5:45 PM
South Conference Room

Agenda

1) Call to Order, Roll Call

2) Approval of Meeting Minutes
   Action requested: review and approve
   a. July 2019 Minutes

3) Ordinances
   Action requested: review and recommend approval
   a. ORDINANCE 2019-1554 An Ordinance Amending Article IX - Boards, Commissions and Committees to allow for Electronic Participation of Members

4) Discussion Items
   Action requested: discuss and take action as needed
   a. Polling Site Location for District 3 and District 5
   b. Sign Code Update

5) Information Items
   a. Working Calendar

6) Adjourn

Dated: August 13, 2019  /s/ Dale Mayr, Chairman

Notice is hereby given that a quorum of other governmental bodies may be present at this meeting to present, discuss and/or gather information about a subject over which they have decision-making responsibility, although they will not take formal action thereto at this meeting.

Persons with disabilities requiring accommodations for attendance at this meeting should contact the City Clerk’s Office at 262-236-2914, twenty-four (24) hours in advance of the meeting.

Any questions regarding this agenda may be directed to the City Administrator’s Office at 262-236-2941, Monday through Friday, 8:00 AM – 4:30 PM.
PUBLIC WELFARE COMMITTEE
Tuesday, July 9, 2019
5:45 PM
South Conference Room

Minutes

1) Call to Order, Roll Call

Present:
Chairman Dale Mayr
Alderman Mark Gierl
Alderman Andrew Nerbun

Also Present: Assistant City Administrator Schoenemann, Assistant Community Development Director Zader, City Attorney Sajdak, Executive Assistant Prosser, Kristen Gies, Executive Director, Mequon Nature Preserve, Interested Parties

2) Approval of Meeting Minutes

a. June 2019 Minutes

RESULT: Approved by Voice Acclamation [Unanimous]
MOVED BY: Alderman Gierl
SECONDED BY: Alderman Nerbun
AYES: Mayr, Gierl, Nerbun

3) Discussion Items

a. ORDINANCE 2019-1551 An Ordinance Amending Chapter 58 Related to Animal Regulations

Assistant Community Development Director Zader stated that after the adoption of Ordinance 2019-1551 - An Ordinance Amending Chapter 58 Related to Animal Regulations, several residents in the City as well as representatives from the Mequon Nature Preserve expressed concern over the new language. Mr. Zader noted City officials met with representatives from the Mequon Nature Preserve to discuss possible changes to the ordinance and based on that discussion the following changes have been made to the regulations regarding bees: one bee hive for the first quarter acre, and one bee hive for each additional half acre. The setback was changed from 50 feet to 25 feet and language was added regarding an aggressive bee colony. Mr. Zader noted the same changes were made in
the ordinance related to the bee hive structures.

Additional amendments to the ordinance include a change to the length of the dog leash requirement from 10 feet to 20 feet in length; along with language stating that an owner shall have a leash available at all times and shall be required to leash such animal if requested by a pedestrian.

Additional language regarding agricultural buildings, Section 58.265(b)(4), was added into the ordinance.

Kristin Gies, Executive Director-Mequon Nature Preserve, was present at the meeting along with members of the Mequon Nature Preserve Bee Club. A suggestion was offered by a member of the Bee Club which would allow two hives for the first ¼ acre and one hive for each additional ½ acre. The members of the Committee were in agreement with the suggestion.

b. Boards and Committees Electronic Participation

Chairman Mayr moved item 3b up on the agenda for discussion.

Assistant City Administrator Schoenemann stated at the last meeting staff was directed to prepare a draft ordinance to allow citizen members of boards, committees, and commissions to have the ability to participate by phone or other electronic means. Staff was also directed to develop a list of committees in which the ordinance could apply. Mr. Schoenemann reviewed the draft ordinance and a list of committees with the Committee.

The following suggestions were made: change a quorum of the committee to a majority of the committee’s quorum must be physically present, remove Architectural Board from the committee list.

Mr. Schoenemann informed the Committee that the Village of Thiensville has an informal policy whereby members of a committee can call in to a meeting upon approval of the committee members. The Committee agreed to include the Joint Mequon-Thiensville Bike & Pedestrian Way Commission and Milwaukee River Advisory Committee on the City’s committee list to participate by phone or other electronic means.

Mr. Schoenemann stated that the City Clerk’s office will be able to track the requests as their office will be the contact for members to call in for electronic attendance.

4) Information Items

a. 2019 Community Survey Update

Assistant City Administrator Schoenemann stated a total of 9,580 surveys were sent out and 3,818 surveys were returned which includes paper and the online version, a 40% response rate when the total number of responses is divided by the total number of paper surveys mailed.
The Committee requested the opportunity to review a draft survey in August, prior to the survey going to the Common Council for a formal presentation. Mr. Schoenemann will reach out to the consultants on the feasibility of having a draft survey for the Committee’s August meeting, if not a special meeting may be considered.

b. Working Calendar

The Committee reviewed the work calendar and requested the sign code be brought back to discuss entry and directional signs. Chairman Mayr asked Committee members to send staff questions to distribute to members of the Mequon-Thiensville Chamber of Commerce regarding their concerns about the City’s sign code.

A review of the nuisance ordinance will be moved up to September. The Committee would like to have the topic of adult entertainment be placed on the agenda when the City Attorney can be present for the discussion. Mr. Schoenemann noted that the City Clerk would like to provide an update on the change to a polling location at the August meeting.

5) Adjourn

a. Motion to adjourn the meeting at 6:25 PM.

RESULT: Approved by Voice Acclamation [Unanimous]
MOVED BY: Alderman Gierl
SECONDED BY: Alderman Nerbun

| AYES: | Mayr, Gierl, Nerbun |

Respectfully Submitted,

Lina Prosser
TO: Public Welfare Committee  
FROM: Justin Schoenemann, Assistant City Administrator  
DATE: July 30, 2019  
SUBJECT: ORDINANCE 2019-1554 An Ordinance Amending Article IX - Boards, Commissions and Committees to allow for Electronic Participation of Members

**Background**
Over the last couple of months, the Public Welfare Committee has worked to create an ordinance that will allow citizen members of boards, committees, and commissions (hereafter referred to as committees) to have the ability to participate by phone or other electronic means. At the July meeting, the committee requested staff make two amendments to the draft ordinance, which were:

1. Add language to allow members participating electronically be counted towards the quorum requirement as long as there is a majority of the committee members physically present at the meeting.
2. Establish a limit for the number of times members can participate electronically in a year and have the City Clerk’s Office incorporate that within its tracking processes. Staff recommends the limit be set at 3 times in a calendar year since most committees hold 12 meetings each year. Members would be able to participate electronically for 25% of a committee’s meetings.

**Analysis**
City staff has completed the two changes to the draft ordinance in red as requested by the Committee. Furthermore, City staff has updated the list of committees eligible to utilize the draft ordinance to include the Mequon-Thiensville Bike and Pedestrian Way Commission and the Milwaukee River Advisory Committee.

**Recommendation**
Staff is ready to gather the Committee’s feedback on the draft ordinance. Staff suggests the committee review the draft ordinance, and if deemed ready, recommend it to the Common Council for approval.

Attachments:
Exhibit A (PDF)
Committees Eligible for Electronic Participation (PDF)
COMMON COUNCIL
OF THE
CITY OF MEQUON
ORDINANCE 2019-1554

An Ordinance Amending Article IX - Boards, Commissions and Committees to allow for Electronic Participation of Members

RE bâtals

A. In October 2017, the Common Council by Ordinance 2017-1505 amended the Code of Ordinances to recreate Chapter 2, Article IX that governs the City’s various Boards, Committees, and Commissions.

B. Since the adoption of Ordinance 2017-1505, the Common Council has determined that the establishment of language allowing for electronic participation by members of the boards, committees, and commissions is warranted.

BASED ON THE FOREGOING, THE COMMON COUNCIL OF THE CITY OF MEQUON, OZAUKEE COUNTY, STATE OF WISCONSIN, ORDAINS AS FOLLOWS:

SECTION I

Section 2-245 (b) requiring a quorum of members to be present to transact business be amended to read as follows to allow members attending electronically to be counted towards the quorum requirement:

(b) A quorum shall be required to transact business or to take any action on any agenda item on the meeting's agenda.

SECTION II

A new Section 2-246 be placed in the Mequon Code of Ordinances as set forth in the attached Exhibit A and all other subsequent sections be renumbered.

SECTION II

An exemption prohibiting electronic participation shall be added to the Standard Deviation section for the Architectural Board, Board of Appeals, Board of Police and Fire Commissioners, Board of Review, Ethics Board, Frank L. Weyenberg Board of Trustees, Hiram Schmitt Fund Advisory Board, and the Mequon Nature Preserve Board of Directors be added and read as follows:

Section 2-246 shall not apply. A quorum shall be required to be physically present to transact business or to take any action on any agenda item on the meeting's agenda.
SECTION III

This ordinance shall be in full force and effect upon its passage and on the day after its publication.

Approved by: John Wirth, Mayor

Date Approved: August 13, 2019

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on August 13, 2019.

Caroline Fochs, City Clerk

Published: ____________________________
Section 2-426. - Electronic Meeting Attendance

(a) Attendance at a meeting of a committee by a member who is not physically present at the meeting but attends by either video or audio conference.

(b) Member Qualifications for Electronic Attendance

1. A member of a committee is qualified to attend a meeting of that committee electronically only if the member is physically prevented from attending the meeting by personal illness or disability, employment purposes or business on behalf of the committee; or a family or other emergency.

2. A member of a committee can attend meetings electronically up to three times in a calendar year.

(c) Procedures for authorizing electronic attendance of a member of a committee is:

1. Notice to the City Clerk. The member must notify the City Clerk in writing at least 24 hours prior to the meeting in which the member desires to attend electronically unless advance notice is impractical due to family or other emergency. The notice shall be substantially by email and shall identify the reason the member cannot be physically present at the meeting in accordance with section 2.426(b). If the member is unable to give the required written notice prior to the meeting, the member shall notify the Clerk by other means prior to the meeting and shall submit the required written notice as soon as practicable following the meeting.

2. Determination of Authorization of Electronic Attendance. Upon receipt of notice in accordance with this ordinance, the Clerk shall promptly forward the notice to the chair of the committee and primary staff liaison. After establishing that a quorum of the committee is physically present at the meeting at which a member has requested to attend electronically, the chair shall state that (i) a notice was received by a member of the committee in accordance with this Policy, and (ii) the member will be deemed authorized to attend the meeting electronically unless a motion objecting to the member’s electronic attendance is made, seconded, and approved by two-thirds of the members of the committee physically present at the meeting. If no such motion is made and seconded or if any such motion fails to achieve the required vote by the members of the committee physically present at the meeting, then the request by the member to attend the meeting electronically shall be deemed approved by the committee and the chair shall declare the requesting member present. After such a declaration by the chair, the question of a member’s electronic attendance may not be reconsidered.

(d) A meeting of a committee at which any member has been authorized to attend electronically in accordance of this ordinance must be conducted in with the following special rules, in addition to any other applicable rules and procedures of the committee:
Exhibit A

1. Roll Call and Quorum. A majority of the committee must be physically present at the meeting. Following the call of the roll, and at the conclusion of the procedures set forth in section 2.426(c), the chair shall identify each member who is attending the meeting electronically.

2. Identification and Recognition of Electronic Attendees. Any member attending electronically must identify himself or herself each time the member wishes to speak and must be recognized by the chair prior to addressing matters before the committee.

3. Public Access to Meeting. The speech of a member attending electronically shall be amplified in such a manner that it shall be generally audible to members of the committee and the public who are physically present at the meeting. Also, any video image of a member attending electronically shall be projected in such a manner that the member's video image shall be generally visible and audible to members of the committee and the public who are physically present at the meeting. In addition, the votes of any member of the committee attending electronically shall be generally audible at the location where such meeting is being held and expressly acknowledged by the Chair.

4. Minutes. The minutes of each meeting of a committee shall identify which members of the committee attended electronically. The minutes shall also reflect the reason for a member's attendance electronically (as described in section 2.426(b)), the fact that there was no valid objection to such attendance pursuant to this ordinance, and the electronic means by which the member attended the meeting.

(e) Effect of Electronic Attendance

1. A member attending a meeting of a committee electronically shall be considered present at the meeting, count towards the quorum requirement, and entitled to vote on any matter before the committee as if the member were physically present at the meeting, provided that the member's attendance at the meeting electronically complies with the terms of this ordinance.

(f) Closed Session Exclusion

1. A member attending a meeting electronically shall not be able to continue to participate in the meeting when the committee moves into closed session.

(g) Emergency and Disaster Situations

1. The restrictions of this policy can be waived by the City of Mequon in the event of a bona fide disaster, as determined by the city or other governing body, such as the county, state, federal government.
Lists of Committees

City Specific Committees
Below is a list of committees comprised of Mequon appointments entirely or both Mequon and Thiensville appointments that would be ideal candidates for the electronic participation ordinance.

1. Economic Development Board
2. Festivals Committee
3. Joint Mequon-Thiensville Bike & Pedestrian Way Commission
4. Landmarks Commission
5. Milwaukee River Advisory Committee
6. Park and Open Space Board
7. Tree Board
TO: Public Welfare Committee  
FROM: Caroline Fochs, City Clerk  
DATE: August 5, 2019  
SUBJECT: Polling Site Location for District 3 and District 5

**Background**
At the June 12, 2018 Public Welfare meeting, the Committee recommended relocating the District 3 polling site from the Safety Building 11300 N. Buntrock Avenue to Trinity Lutheran Church 10729 W. Freistadt Road. The relocation was due to Spur 16 construction and lack of parking at the Safety Building.

Similarly, at the September 11, 2018 Public Welfare meeting, the Committee recommended that the polling location for District 5, Christ Church 13460 N. Port Washington Road, relocate to Unitarian Church North 13800 N. Port Washington Road due to extensive construction at the Christ Church location. The minutes below reflect the Committee’s motion.

*Public Welfare Committee unanimously approved RESOLUTION 3553 with the amendment that the Public Welfare Committee will review this location again in 2019 to determine if it will be a permanent location.*

**Analysis**
Since the relocation of both sites, four elections have been held at Trinity Lutheran Church and three elections have been held at Unitarian Church. Staff at both Trinity Lutheran and Unitarian Church have been extremely cooperative and enthusiastic about the opportunity to serve their community. The Chief Inspectors, who supervise the polling locations on election day, were questioned if they prefer the new location or former location. Both Chiefs of District 3 and District 5 stated they prefer to remain at the current polling site and that their poll workers prefer the new locations as well.

In choosing the best site, the voter’s experience is top priority. Parking should be abundant and close, the lot should be easy to navigate, and the foot traffic throughout the voting process should flow well. Trinity Lutheran remains the preferred location due to the parking capacity, as well as a result of the continued construction and congestion in the Spur 16 area. Unitarian Church North has a much improved layout for voters, parking is convenient and the current location is just blocks away from the former location at Christ Church.

**Fiscal Impact**
None.

**Recommendation**
Due to the support of the church staff, election inspectors and benefit to the voters, it is recommended to continue hosting the District 3 elections at Trinity Lutheran Church and District 5 at Unitarian Church North.

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TO: Public Welfare Committee  
FROM: Justin Schoenemann, Assistant City Administrator  
DATE: August 1, 2019  
SUBJECT: Sign Code Update

Background  
At its June meeting, the Public Welfare Committee discussed the City’s Sign Code, which is located within Chapter 62 of the City’s Code of Ordinances. In particular there was a discussion about directional signs for entries and exits. Members from the Chamber of Commerce were present as well and expressed interest in seeing updates to the City’s Sign Code. Subsequently at the July meeting, the Committee discussed the next steps for a Sign Code review and there was consensus that the Committee wish to gather the Chamber of Commerce’s feedback on the City’s sign code through a short survey. The questions discussed are listed below and no additional questions were submitted to staff after the July meeting.

1. Does the City’s Sign Code allow you to have adequate signage for your business?
2. What are your top 5 concerns, if any, with the City’s Sign Code that you’d like to see changed?
3. Would you like to see any specific changes to the Sign Code?
4. What new trends are you seeing in signage for your industry that you would like the City to allow?

Furthermore, Community Development Director Kim Tollefson, reached out the Chamber of Commerce. There are not any specific concerns, or request to change specific regulations in the Sign Code, from businesses at this time. Chamber President, Michael Kramer, continues to offer the Chamber’s assistance in polling members any time a policy issue may result in a possible amendment to the regulations. A copy of the City’s Sign Code is attached.

Discussion  
Staff from Community Development will be in attendance to help with the refinement of the questions that will be provided to the Chamber of Commerce to gather its membership’s feedback.

Attachments:

Chapter 62 - Signs (PDF)
Chapter 62 - SIGNS

Sec. 62-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Approved combustible materials.** Wood, combustible plastics, or other rigid material impervious to water.

**Approved combustible plastics.** Only those combustible plastic materials which when tested in accordance with the Standard Method of Testing for Flammability of Plastics (A.S.T.M.) over 0.050 inch in thickness, D635 (latest revision), burn no faster than 2.5 inches per minute in sheets of 0.060 inch thickness.

**Area.** Measurement of sign area shall be calculated as the sum of the area within the smallest regular polygon that will encompass all elements of the actual sign face including any writing, representation, emblem or any figure or similar character together with any material forming an integral part of the display or forming the backing surface or background on which the message or symbols are displayed.

1. For a sign painted on or applied to a building or to a freestanding wall, the area shall be considered to include all lettering, wording and accompanying designs or symbols, together with any background of a different color than the natural color, or finish material of the building or architectural wall. The architectural wall shall be subject to planning commission approval of the site and landscaping plan.

2. The main supporting sign structure (i.e., brackets, posts, foundation, etc.) shall not be included in the area measurement if such framework is incidental to the display.

3. When a sign has two or more faces, the area of all faces shall be included in determining the area, except where two faces are placed back to back and are at no point more than two feet from each other. In this case, the sign area shall be taken as the area of either face, and if the faces are unequal, the larger shall determine the area.

**Awning and awning sign.** An awning is a temporary or permanent frame with a fabric covering which projects from the building wall and is intended to provide shelter over a window, door or pedestrian space. An awning sign is any sign applied to an awning.

**Banner.** A sign intended to be hung either with or without a frame, and which possesses characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind.

**Base setback line.** The edge of the established ultimate street right-of-way.

**Beacon.** A stationary or revolving light which flashes or projects illumination, single color or multicolored, in any manner which is intended to attract or divert attention.

**Bulletin board.** A sign not to exceed 15 square feet in area located on the premises of a charitable, religious, educational institution or a public body, for purposes of announcing events which are held on the premises. The City of Mequon official bulletin boards may be located off site.

**Canopy sign.** Any sign that is attached to or part of an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area.

**Construction sign.** A sign identifying individuals or companies involved in design, construction, wrecking, financing, or development of a building/lot and/or identifying the future use of the building/lot.

**Development sign.** A temporary sign identifying future residential or non-residential development.

**Directional sign.** A sign for the purpose of directing patrons or attendants to a commercial establishment off the main traveled highway, or to service clubs, churches, schools or other non-profit organizations. Also, signs solely indicating ingress and egress placed at driveway locations, containing no advertising material.
Directory sign. A sign which indicates the name of the occupants or tenants located on the premises.

Display surface. The surface made available on the sign, either for the direct mounting of letters and decorations, or for the mounting of facing material intended to carry the entire advertising message.

Electronic message sign. A sign whose informational content can be changed or altered on a fixed display screen composed of electronically illuminated parts. Electronic message signs use changing lights to form a message in text form wherein the sequence of the text and rate of change is electronically programmed and can be modified by electronic processes.

External illumination. Illumination of a sign with an exterior light source.

Facing. The surface of the sign or billboard upon, against, or through which the message of the sign or billboard is displayed.

Flashing sign. A sign whose illumination is not kept constant in intensity at all times when in use and/or which exhibits changes in light, color, direction, animation and word/text changes. Illuminated signs, which indicate the date, time, and temperature, will not be considered flashing signs.

Freestanding/ground sign. A sign which is attached to or part of a completely self-supporting structure other than a building. The supporting structure shall be set firmly in, upon, or below the ground surface and shall not be attached to any building.

Height. The height of all freestanding signs shall be the distance between the existing preconstruction grade at the base of the sign and the highest point on the sign or supporting structure.

Illuminated sign. A sign in which an artificial source of light is used in connection with the display of such sign.

Internal illumination. Illumination of a sign in which the source of light is contained within the sign itself.

Letters and decorations. The letters, illustrations, symbols, figures, insignia, logo and other media employed to express and/or illustrate the sign message.

Lot. A designated parcel, tract or area of land established by plat, subdivision, or as otherwise permitted by law.

Lot lines. A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space.

Major tenant. A tenant within a multi-tenant building that occupies the greatest linear frontage or square footage of that building.

Manual changeable letter sign. A sign whose information content can be changed or altered manually on a fixed display. Manual changeable letter signs use individual letters to form a message in text form.

Marquee and marquee sign. A marquee is a permanent roof-like structure extending from part of the building wall but not supported by the ground, and constructed of durable materials. A marquee sign is a sign attached to, applied on, or supported by a marquee.

Master sign plan. A master sign plan is a unified signage package that applies to a single development in a manner that will enhance the development through a coordinated and comprehensive design approach. The master sign plan can allow for flexibility to the standards when benefits of the design flexibility are derived by both the applicant and the community. The master sign plan shall specify the standards which are requested to be waived or modified and comply with section 62-17.

Neon or other gas tube illumination. Illumination from a light source consisting of a neon or other gas tube which forms letters, symbols or other shapes.

Nonconforming sign. A sign existing at the effective date of the adoption of this chapter which does not conform to the terms of this chapter.
Off-premises signs. Any sign that advertises, calls attention to or identifies an occupant, business or property situated on a different lot than the sign.

Offset. The regulated minimum distance of a structure from a side or rear lot line.

On-premises signs. Any sign that advertises, calls attention to or identifies an occupant, business or property situated on the same lot as the sign.

Outdoor advertising. Any outdoor structure or device that is used as an announcement, declaration, demonstration, display, illustration, indication, symbol, insignia, logo, emblem or advertisement.

Portable sign. A sign not permanently affixed to the ground, building, or other structure and which may be easily moved from place to place.

Projecting sign. A sign affixed or attached directly to the exterior wall of a building or structure and extending more than ten inches from the exterior wall of the building or structure.

Real estate sign. A sign which is used to offer for sale, lease, or rent the premises upon which such sign is placed.

Roof sign. A sign or billboard which is located or projects above the lowest point of the eaves or the top of the parapet wall of any building, or which is painted on or fastened to a roof.

Setback. The regulated minimum horizontal distance between the base setback line and any structure on a lot.

Shopping center. A planned/coordinated grouping of architecturally unified commercial establishments built on the same site and managed as one operating unit offering for sale goods such as food, drugs, hardware and personal services.

Sign. Any display of lettering, logos, colors, lights, or illuminated neon tubes visible to the public from outside of a building or from a traveled way, which either conveys a message to the public, or intends to advertise, direct, invite, announce or draw attention to goods, products, services, facilities, persons, property interest or business either on the lot or on any other premises.

Sign code administrator (SCA). The City of Mequon employee(s) responsible for administering this chapter.

Street. A public or private right-of-way for pedestrian or vehicular traffic.

Temporary sign. A sign intended to be used for a period of no more than 30 days unless otherwise specified herein.

Trim. The moldings, battens, capping, nailing strips, latticing and platforms attached to any sign or billboard structure.

Wall sign. A sign or billboard affixed or attached directly to the exterior wall of a building and extending ten or less inches from the exterior wall of the building or structure.

Warning sign. A sign, containing no advertising material, warning the public of the existence of danger.

Window sign. A sign attached to, placed upon, or painted on the interior of a window or door of a building which is intended for viewing from the exterior of such building.


Sec. 62-2. - Purpose.

The purpose of the sign regulations in this chapter is as following:
(1) To regulate the size, type, construction standards, maintenance and placement of signs situated within the boundaries of the City of Mequon, Wisconsin;

(2) To promote the public health, safety, welfare and comfort of the general public by:
   a. Reducing distractions and obstructions from signs which would adversely affect traffic safety, and alleviate hazards caused by signs projecting over or encroaching upon the public right-of-way;
   b. Discouraging excessive visual competition in signage and ensuring that signs aid orientation and adequately identify uses and activities to the public; and
   c. Preserving or enhancing the natural beauty and unique physical characteristics of the City of Mequon as a community in which to live and work by requiring new and replacement signage which is:
      1. Creative and distinctive;
      2. Harmonious with the building, surrounding neighborhood aesthetics and other signs in the area;
      3. Appropriate to the type of activity to which it pertains;
      4. Expressive of the city's identity in a manner which will not diminish property values; and
      5. Complementary to the city's suburban architectural character and unobtrusive commercial developments;
   d. Promote a healthy and properly designed business environment;
   e. Protect property values within the city.

(Ord. No. 2004-1108, § I(16.01), 6-8-2004)

Sec. 62-3. - Scope of regulations.

Except as otherwise noted herein, the regulations of this chapter shall govern all outdoor signs, advertising structures or devices with respect to location, safety, size, construction standards, erection, attachment, support, lighting, anchorage, maintenance, appearance, and aesthetics.

(Ord. No. 2004-1108, § I(16.02), 6-8-2004)

Sec. 62-4. - Permits.

(a) Authority. It shall be unlawful for any person to erect, repair, alter, relocate or possess any sign or other advertising structure as defined in this chapter without first obtaining a sign permit from the City of Mequon and making payment of established fees. All illuminated signs shall, in addition, be subject to the provisions of the electrical code and the permit fees required thereunder.

(b) Application for permit. Application for a sign permit shall be made to the City of Mequon, and shall contain or have attached thereto the following information:

   (1) Name, address, and telephone number of the applicant. Location of building, structure, or lot to which or upon which the sign is to be attached or erected.

   (2) Name of person, firm, corporation, or association erecting the sign.

   (3) Written consent of the owner of the building, structure, or land to which or upon which the sign is to be affixed.
(4) A scale drawing of such sign indicating the dimensions, materials to be used, color scheme, type of illumination, if any, and the method of construction and attachment.

(5) A scale drawing indicating the location and position of such sign in relation to nearby buildings or structures.

(6) Copies of any other permit required and issued for said sign, including the written approval by the city planning commission where required by the zoning code and/or by the electrical inspector, in the case of illuminated signs, who shall examine the plans and specifications, re-inspecting all wiring and connections to determine if the sign complies with the city electrical code.

(7) Additional information as may be required by the city.

Sign permit applications shall be filed with the sign code administrator, who shall review the application for its completeness and accuracy and approve or deny, in writing, the application within 60 days of receipt from the applicant. A sign permit shall become null and void if work authorized under the permit has not been completed within 12 months of the date of issuance.

(c) Issuance of permits.

(1) It shall be the duty of the sign code administrator, upon the filing of an application for a sign erection permit, to examine such plans and specifications and other data. The SCA shall determine whether the proposed structure is in compliance with the requirements of this section and all other regulations of the city.

(2) Following the SCA examination of the sign permit application, the sign code administrator shall take one of the following actions:

a. If the proposed sign is not in compliance with the requirements of this section and all other regulations of the city, the sign code administrator shall deny such permit and state the specific lack of compliance with the ordinance requirements in the SCA denial.

b. If the proposed sign complies with all dimensional ordinance requirements, the sign code administrator shall consider the purpose, appearance, location, lighting, height, size, and impact of the sign relative to the scenic beauty of the vicinity and to the values identified in section 62-2 of this chapter (i.e., purpose). If the sign code administrator determines, on the basis of the above noted considerations, that there is a question as to whether or not the proposed sign is in accordance with the intent of this section, the SCA shall refer the sign permit application to the planning commission or park and open space board, if the proposed sign is to be located within a city owned park or preserve, stating the reasons for such referral. Following its review, the planning commission shall approve, approve with modifications, or deny the sign permit application.

c. If the sign code administrator determines that the sign is in compliance with the intent of this section and all other regulations of the city, the SCA shall issue the sign permit.

d. Any approval given by the sign code administrator, planning commission or park and open space board, if the proposed sign is to be located within a city owned park or preserve, shall be valid for 12 months. If the approved sign is not constructed within this 12-month period, the sign permit shall be declared null and void.


Sec. 62-5. - Fees.

Administrative fees for sign permits shall be in accordance with the city's established fee schedule.
Sec. 62-6. - Revocation of permits.

The sign code administrator is hereby authorized and empowered to revoke any permit issued by him/her upon failure of the holder thereof to comply with any provision of this chapter.

Sec. 62-7. - Prohibited signs.

The following types of signs are prohibited in the City of Mequon.

1. Roof signs.

2. Signs placed on or affixed to vehicles and/or trailers which are parked on a public right-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity. However, this is not in any way intended to prohibit signs placed on or affixed to vehicles and trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle or trailer.

3. Signs which are attached or otherwise affixed to rocks, trees or other living vegetation.

4. Signs which contain untruthful or misleading information.

5. Signs which imitate, interfere with, obstruct the view of, or can be confused with any authorized traffic control sign, signal, or other device.

6. Flashing or rotating signs, message crawl signs, digital electronic signs, signs containing moving parts, and signs containing reflective elements which sparkle or twinkle in the sunlight are not permitted. Signs indicating the current time and/or temperature may be permitted provided they meet all other provisions of this section and subject to approval of the city planning commission.

7. "A" frame, sandwich board, sidewalk, or curb signs, except as a temporary sign, as may be provided for in section 62-8 or 62-13(e) of this chapter.

8. Banners, pennants, streamers, balloons, and other gas-filled figures, except as a temporary sign, as may be provided for in section 62-8 of this chapter.

9. Billboards and off-premises signs, except city approved temporary off-premises signs to identify businesses during road construction. Official city bulletin boards are also allowed off-premises.

10. Any sign advertising or identifying a business or organization, which is either defunct or no longer located on the premises is not permitted.

11. Any sign larger than 50 square feet in area except as may otherwise be permitted under the terms of this section and subject to review and approval by the planning commission or park and open space board, if the sign is proposed to be located within a city owned park or preserve.

12. Projecting signs.

13. Portable and wheeled signs.

14. Signs or other advertising painted directly on walls unless specifically approved by the planning commission or park and open space board, if the sign is proposed to be located within a city owned park or preserve.

15. Inflatable signs and tethered balloons.
(16) Signs attached to, erected or maintained on any standpipe, exterior stairway, fire escape, tower, or balcony so as to interfere with the use thereof.

(17) Signs erected at or near the intersection of any streets in such manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words “STOP,” “LOOK,” “DANGER” or any other word, phrase, symbol, or character in such manner as to interfere with, mislead, or confuse traffic.

(18) Signs erected, constructed or maintained so as to obstruct any exit, any window opening necessary for required light or ventilation, or which prevents free passage from one part of a roof to another.

(19) Signs extending above the top or ten inches beyond the side of the exterior wall to which such sign is attached.

(20) Signs and associated lighting fixtures which project more than ten inches from the exterior wall to which they are attached.

(21) Signs entirely supported by a parapet wall.

(22) Signs, cards, banners, pictures, handbills, sign posters, advertising, or notice of any kind, on any curb, street-walk, public thoroughfare surface, fence, board, barrel, box, case, railing, pole, post, bridge, tree, barricade, material, bridge fender, dock, pile, building or structure of any kind on public ground, public waterway or upon any structure projecting over any public thoroughfare, public ground or public waterway within the city except by City of Mequon authorization.

(23) Except as may otherwise be permitted by this section the placement, creation, or use of outdoor advertising devices such as banners, decorative displays or other advertising devices of cloth, paper, or other non-rigid materials.


Sec. 62-8. - Exemptions.

(a) The following outdoor signs, advertising structures or devices shall be exempted from section 62-4 of this chapter:

(1) One wall sign not to exceed six square feet in size maintained by the owner or occupant of any residential building for the purpose of displaying the name of the owner or occupant or legal home occupation signs not exceeding two square feet in size and placed on the residential structure. Home occupation signs shall not be illuminated.

(2) Bulletin boards not over 15 square feet in size for public, charitable or religious institutions when the same are located on the premises of said institutions. Such signs shall be subject to the location, lighting and landscaping standards as set forth in sections 62-9—62-11 of this chapter and shall not exceed seven feet in height.

(3) Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials grave markers, statutory, or other remembrances of persons or events that are non-commercial in nature.

(4) Traffic signs, legal notices, railroad crossing signs, danger and such temporary emergency or non-advertising signs as may be erected for the public safety.

(5) One sign not to exceed 15 square feet in area, identifying farm operations on parcels of land containing not less than 20 acres.
(6) Flags or banners representing the United States, State of Wisconsin, Ozaukee County or the City of Mequon.

(7) Special decorative displays or signs in public right-of-way when authorized by the common council.

(8) Up to four city authorized and constructed directional signs for any single business or organization, provided such signs do not exceed three square feet in area or four feet in height. All off premises directional signs shall be located in accordance with city staff approval.

(9) Signs which are located within the interior of any building and which are not visible from the exterior of the building.

(10) Yard sale signs; provided that no person shall attach posters, notices or advertisements to utility poles, meter posts, or trees in or along any street right-of-way within the city; and, that no person shall put up any notice upon any building, wall, fence, or other property of another person without having first obtained the consent of the owner of such property. The maximum time limit for all yard sale or estate sale signs is three consecutive days and nine cumulative days in a one-year period. Such signs shall not exceed ten square feet in area.

(11) Non-illuminated window signs, including but not necessarily limited to paper signs, box signs, and painted window signs, covering less than 25 percent of the individual window area.

(b) The following temporary signs shall also be exempted from section 62-4 of this chapter subject to the following conditions:

(1) Temporary real estate signs.
   a. Number.
      1. There shall not be more than one temporary real estate sign for each lot except that where a lot abuts two or more streets, one sign may be allowed for each abutting street frontage. Single or double-faced signs are permitted.
   b. Area.
      1. On all parcels that contain a single-family or plex dwelling units, temporary real estate signs shall not exceed 12 square feet in gross surface area.
      2. In all districts except on parcels that contain a single-family or plex dwelling units, temporary real estate signs shall not exceed 32 square feet in gross surface area.
   c. Location.
      1. Temporary real estate signs shall be located only upon the premises being sold, leased or rented. Temporary real estate signs shall be located within the landscape bed of the existing freestanding sign and located no further than three feet from the base of an existing freestanding sign. If a freestanding sign does not exist, the temporary real estate sign shall be placed within an area of landscaping as approved by staff. For sites where a multiple tenant panel freestanding sign exist, the owner has the option of placing the temporary real estate sign on the existing business freestanding as one of the panels. The department of community development may waive and/or modify location requirements.
   d. Height.
      1. Temporary real estate signs shall not project higher than six feet as measured from preconstruction grade at the base of the sign.
   e. Time limit.
      1. Temporary real estate signs shall be removed seven days after being sold, leased, or rented.

(2) Temporary construction signs.
a. **Number.** There shall not be more than one temporary construction sign for each project, except that where a project abuts two or more streets, one sign may be allowed for each abutting street frontage. Single or double-faced signs are permitted.

b. **Area.**
   1. On all parcels that contain a single-family or plex dwelling units, temporary construction signs shall not exceed 24 square feet in gross surface area.
   2. In all districts except on parcels that contain a single-family or plex dwelling units, temporary construction signs shall not exceed 32 square feet in gross surface area.

c. **Location.**
   1. Temporary construction signs shall be located only upon the premises upon which construction either is about to occur or is occurring.

d. **Height.**
   1. Temporary construction signs shall not project higher than six feet, as measured from preconstruction grade at the base of the sign.

e. **Time limit.**
   1. Temporary construction signs shall be allowed for a period not to exceed 30 days prior to the commencement of construction and shall be removed seven days after the occupancy permit is granted. Projects that don't require an occupancy permit shall remove the temporary construction sign once work has been completed.

(3) **Temporary development signs.**

a. **Number.**
   1. There shall not be more than one temporary development sign for each project, except that where a project abuts two or more streets, one sign may be allowed for each abutting street frontage. Single or double-faced signs are permitted.

b. **Area.**
   1. Temporary development signs shall not exceed 32 square feet in gross surface area.

c. **Location.**
   1. Temporary development signs shall be located only upon the premises upon which construction either is to occur or is occurring.

d. **Height.**
   1. Temporary development signs shall not project higher than six feet, as measured from preconstruction grade at the base of the sign.

e. **Time limit.**
   1. Temporary development signs shall be allowed once final approval of the development is granted. The temporary development sign shall be removed after the initial tenant related to the development takes occupancy.

(4) **Political campaign signs.** The common council of the City of Mequon declares the following legislative intent regarding the subject of political campaign signs:

a. Citizens possess important rights of free speech and association, the regulation of which may stem only from compelling governmental interests or significant governmental interests, as the case may be.

b. The public is possessed with the important right of safe and unobstructed travel over the public rights-of-way.
c. It is necessary as a matter of public policy that the buildings and grounds of public agencies maintain a strict appearance of political neutrality.

d. The substantial possibility exists of a proliferation of political campaign signs in the city with the attendant traffic safety, litter, structural hazards, and loss of meaning of the message conveyed by said signs in the absence of any regulation of such signs.

e. A significant governmental interest therefore exists for a reasonable system of regulation of political campaign signs in order to protect the rights and advance the concerns stated in this section, while being narrowly tailored, and affording ample alternative means to communicate the desired speech.

1. The provisions of Wis. Stats. § 12.04 are hereby adopted and incorporated by reference herein.

2. Size, shape and placement. The gross surface area of a political campaign sign shall not exceed 11 square feet where its proposed or actual placement will impair visibility or site lines from and to public rights of way and private roads, so as to adversely impact on pedestrian or traffic safety.

3. Location(s).
   a. Political campaign signs shall not be posted on any public building, public structure, public right-of-way or grounds that are owned, operated or maintained by any public or governmental agency.
   b. Political campaign signs located on private property may be placed by an owner or lessee, or with the consent of either. No such sign may obstruct a window, door, fire escape, ventilation shaft or other area which is required by an applicable building or fire code to remain unobstructed.

4. Special conditions. The Mequon Police Department shall be authorized to remove any political campaign signs that are found to be placed in the public right of way, or on other public property, in violation of the provisions of this section.

5. Time limit. Political campaign signs may be posted during the election campaign period, as that term is defined in Wis. Stats. § 12.04(12)(a), namely from the first day for circulation of nomination papers through the day of the election, except that the city shall not enforce removal of such signs until ten days after the election campaign period.

6. Prohibition of electronic/mechanical/audible signs. No political campaign sign may use or employ an electronic, mechanical or electro-mechanical message generator, or audio broadcast component.

(5) Temporary off premise displays. Banners or signs that promote cultural, educational or community events shall be permitted in accordance with the following conditions.

a. Residential properties.
   1. Number. There shall not be more than one temporary off premise banner for each lot except that where a lot abuts two or more streets, one banner shall be allowed for each abutting street frontage.
   2. Area. The gross surface area of the sign shall not exceed seven square feet, provided the placement will not adversely impact pedestrian or traffic safety.
   3. Time limit. Such signs shall not be posted more than 30 days prior to the event for which the sign is being posted, and shall be removed within two days after the event for which the sign was posted.
   4. Height. Signs shall not exceed five feet in height.

b. Commercial properties.
1. **Number.** No more than one sign shall be allowed on any individual property at a given time.

2. **Area.** The gross surface area of the sign shall not exceed 15 square feet, provided the placement will not adversely impact pedestrian or traffic safety.

3. **Time limit.** Such signs shall not be posted more than 30 days prior to the event for which the sign is being posted, and shall be removed within two days after the event for which the sign was posted.

4. **Height.** Signs shall not exceed five feet in height.

c. **City owned properties.** Banners or signs shall be allowed at Lemke Park, Rotary Park, Riverbarn Park and the East Side Firestation in accordance with the following:

   1. **Number.** No more than one sign shall be allowed on any individual property at a given time. Requests shall be submitted to the parks director at least 30 days in advance. Each applicant is allowed placement in one city owned location unless the three other locations are available two weeks prior to the event. Banners for City of Mequon events shall be given first priority.

   2. **Area.** The gross surface area of the sign shall not exceed 30 square feet, provided the placement will not adversely impact pedestrian or traffic safety.

   3. **Time limit.** Such signs shall not be posted more than 14 days prior to the event for which the sign is being posted, and shall be removed within two days after the event for which the sign was posted.

   4. **Height.** Signs shall not exceed five feet in height.

   5. **Location.** Location of the sign or banner shall be approved by the parks director.

(6) **Seasonal banner and "A" frame or sandwich board sign.**

   (1) During the period commencing as of the Friday one week preceding Thanksgiving through January 2:

   a. A permit shall be required and a fee collected for banners posted throughout the time period as noted in [subsection] (b)(6)(1) at any business or religious institution. The banner shall be posted in good condition, meet an 18-square-foot size limitation and establish a 30-foot separation between banners as well as the placement requirements of section 62-13(d)(2). A banner posted during this period shall not count against a business or institution's total number of annually permitted banners.

   b. All businesses may utilize one seasonal banner permit during the time period as noted in (b)(6)(1), but shall designate a maximum and continuous three week posting. Any business may forego the ability to utilize their seasonal banner permit and be permitted one additional annual special event banner. The additional annual special event banner shall following standards set forth in 62-13(d).

   c. All businesses may display sandwich board signs otherwise meeting the requirements of subsection 62-13(e).

   d. Banners and sandwich board signs are subject to the installation, maintenance and removal standards pursuant to section 62-16.


Sec. 62-9. - Reserved.

Sec. 62-10. - Landscaping standards.

(a) In the case of any pole or ground mounted freestanding signs, a landscape area shall extend a minimum of five feet from the base of the sign (see section 58-564 for landscaping standards).

(b) Where any sign is proposed to be externally illuminated using ground mounted fixtures (i.e. floodlight), landscape plantings shall be installed in such a manner as will entirely shield the light source from the surrounding view. Landscape plantings shall be of the type as will ensure effective year long screening.


Sec. 62-11. - Location standards.

(a) In any zoning district, no sign, or sign supporting structure shall be setback/offset less than ten feet from any abutting lot line, right-of-way or driveway.

(b) Placement of all signs shall be subject to the vision setback regulations as put forth in the City of Mequon zoning code as set forth in chapter 58, article IV.

(c) No nonresidential sign shall be located closer than 50 feet to an abutting residential zone.

(Ord. No. 2004-1108, § I(16.11), 6-8-2004)

Sec. 62-12. - Signs facing I-43.

(a) On-premise, freestanding signs facing I-43 are allowed subject to planning commission approval and the following standards:

(1) Signs shall be located on parcels zoned B-1, B-2, B-4, B-3, B-7 or IPS.

(2) Signs shall be located on parcels that have direct frontage on I-43 right-of-way.

(3) One freestanding sign shall be permitted for identification of a business park, retail center or education facility that contains a minimum of four acres and 400 feet of direct frontage on I-43 right-of-way.

(4) A freestanding sign shall be setback a minimum of ten feet and a maximum of 25 feet from the I-43 right-of-way.

(5) The height of a freestanding sign shall not exceed 25 feet above the elevation of the centerline of nearest traveling lane of I-43. The sign structure shall have architectural interest consistent with the materials and characteristics of the site's buildings and designed proportionate to the building as well as to the surrounding context of the site. The sign structure may have more than two sides; however the sign face shall only be displayed on two sides of the structure. Pole signs are prohibited.

(6) A freestanding sign shall not exceed 200 total square feet and 100 square feet per sign face.

(7) The face of the freestanding sign is limited to displaying two tenant panels.

(b) On-premise wall signs facing I-43 are allowed subject to planning commission approval and the following standards:

(1) One wall sign per tenant is permitted.

(2) Signs shall be located on parcels zoned B-1, B-2, B-4, B-7 or IPS.
(3) The total square area of wall signage per building is limited to 65 percent of linear feet of building wall and shall not project more than ten inches from the wall to which the sign is to be affixed.

(4) The placement of any wall sign should generally not be less than 50 percent or greater than 75 percent of the total height of the building to which the sign is affixed. Exceptions to the placement may be permitted where it is found that strict compliance to this requirement is impractical because of site or building conditions and upon finding that the exception does not create an adverse impact.

(5) All wall signs shall be channel letters no less than 18 inches and no greater than 24 inches in height.

(6) All wall signs as part of one development site shall have a consistent backing or structural support frame, if one is proposed, or affixing mechanism.

(7) All wall signs shall have architectural interest and colors consistent with the materials and characteristics of the site's buildings.

(c) Electronic message signs facing I-43 are prohibited.

(d) Illuminated signs facing I-43 shall only be illuminated by a halo glow method. The illumination shall not exceed 15 foot-candles.


Sec. 62-13. - Permitted signs.

(a) Residential uses. For all residential uses, the following signs are hereby allowed subject to issuance of a permit in accordance with section 62-4 of this chapter.

(1) Master sign plans subject to planning commission approval.

(2) Building name and address signs. Name and address signs of buildings containing four or more residential units indicating only the name of the building, the name of the development in which it is located, the management thereof, and/or address of the premises shall be subject to the following:

a. Type. Building name and address signs may be either wall signs or ground signs.

b. Number. There shall not be more than one name and address sign for each building except that where a building abuts two or more streets, one sign may be allowed for each abutting street frontage.

c. Area. Building name and address signs shall not exceed six square feet in gross surface area.

d. Location. Building name and address signs shall not be located closer than ten feet to any property line, right-of-way or driveway.

e. Height. Building name and address signs shall not exceed seven feet as measured from preconstruction grade at the base of the sign.

(3) Subdivision identification signs. A permanent sign used to designate a residential subdivision entrance may be permitted subject to planning commission approval and the following criteria:

a. Subdivision identification signs shall be ground signs.

b. Number. There shall not be more than two subdivision identification signs for each point of vehicular access to the subdivision.

c. Area. Subdivision identification signs shall not exceed 32 square feet in area per sign.
d. Location. Subdivision identification signs shall not be located closer than ten feet to any property line, right-of-way or driveway.

e. Height. Subdivision identification signs shall not exceed seven feet as measured from preconstruction grade at the base of the sign.

(b) Commercial, industrial, park, and institutional uses. For all commercial, industrial, park, and non-religious institutional uses, only the following signs are hereby allowed subject to issuance of a permit in accordance with section 62-4 of this chapter.

(1) Master sign plans subject to planning commission approval.

(2) Wall signs.

a. Number. There shall be not more than one wall sign for each principal building within the B-1, B-2, B-3, B-4, B-5, B-6, B-7, TC, AC, IPS, LTD, and P-1 zoning districts except for the case of multi-tenant buildings as regulated in section 62-13 of this chapter and except for the case of buildings that front two public streets, one sign may be permitted for each facade facing a public street.

b. Area. Except in the case of multi-tenant buildings as regulated in section 62-13 of this chapter, the gross surface area of a wall sign shall not exceed two and one-half percent of the area of the building wall, including doors and windows, to which the sign is to be affixed or 60 square feet, whichever is smaller.

c. Location. A wall sign may be located on the outermost wall of any principal building but shall not project more than ten inches from the wall to which the sign is to be affixed.

d. Height. A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed. A wall sign shall not exceed 20 feet in height from the base of the building wall to which the sign is affixed.

(3) Freestanding ground signs.

a. Number. There shall not be more than one freestanding ground sign for each principal building.

b. Area. The gross surface area of a ground sign shall not exceed 50 square feet of area.

c. Location. A ground sign may not be located closer than ten feet to any property line, right-of-way or driveway.

d. Height. A ground sign shall not project higher than ten feet, unless within the TC or AC district which shall be limited to six feet as measured from preconstruction grade at the base of the sign.

(4) Awning signs.

a. Area. Awning signs which are four square feet or less in gross surface area are exempt from the provisions of this section as specified in section 62-8. An awning sign that exceeds four square feet in gross surface area is subject to the review and approval by planning commission through a master sign plan application.

b. Number. Each tenant that has its own principal, exterior entrance is permitted any number of awning signs if each awning sign is less than four square feet.

c. Location. Awning signs shall be affixed to or located over windows or entryways. Alternative locations may be approved subject to staff approval.

d. Height. An awning shall not project higher than the top of the façade or roofline.

e. Design. Illuminated and plastic awning signs are prohibited.

(5) Multiple tenant signs. Multiple tenant buildings located within the B-1, B-2, TC, and AC districts shall be limited to one wall sign per tenant not exceeding 30 square feet. The multiple tenants
may also share the permitted freestanding sign. Major tenants may be allowed a larger wall sign subject to planning commission approval.

Multiple tenant buildings located within the B-3, B-4, B-5, B-6, B-7, LTD district are permitted one wall sign per building. More than one wall sign per building may be permitted subject to planning commission approval through a master sign plan and the following criteria:

a. The placement of all wall signs shall relate only to the first floor elevation of the building.
b. Only tenants that have an individual, exterior entrance on the first floor that allows the general public to access shall be permitted a wall sign.
c. All wall signs shall relate to the architectural features of the exterior building and create an overall harmonious aesthetic.

(6) **Window signs.**

a. Neon signs. Each business tenant shall be allowed to display on each public street it fronts one neon sign not exceeding 300 square inches in size or 50 percent of the window area, whichever is less. Neon signs shall emit a steady light and only be illuminated during business hours. Blinking, flashing, strobe or other light animation shall not be allowed. Businesses or business tenants will be required to fully comply with this section by September 1, 1994.
b. Temporary signs. Temporary, non-illuminated window signs covering less than 25 percent of the individual window area shall be allowed.
c. Business decals. Business decals not exceeding two square feet in size shall be allowed.

(7) **Electronic message signs and manual changeable letter signs.**

a. Uses. Electronic message signs and manual changeable letter signs shall only be allowed for institutional, religious, theatre and public service uses as indicated in Table 62-1.
b. Message. The fixed display or fixed display screen shall only contain text and remain static. Pictographic or video images are prohibited. A message which moves by scrolling, blinking, flashing, turning or other similar movements is prohibited. A message shall not change more than one time per 30 seconds. When more than one message is displayed on either a single or double faced sign, the change to all messages shall occur at a simultaneous 30-second interval.
c. Color. The electronic display screen background shall be black. The fixed display or fixed display screen shall not be illuminated. The message on the display screen is not limited by color except that the color shall be compatible with the building's architectural character and exterior colors. There shall be no variation of color or intensity per message.
d. Illumination. The maximum illumination of any electronic message or manual changeable letter sign shall not exceed 15 foot-candles when measured with a light meter held perpendicular to the sign at a distance of 12 inches.
e. Design and dimension. The electronic message or manual changeable letter sign shall only be permitted as a freestanding/ground sign and is subject to the number, area, location and height requirements according to subsection 62-13(b)(3)a.—d. of the sign code and as follows:
   1. The changeable message portion of the sign shall not exceed 50 percent of the total sign area.
   2. The electronic message or manual changeable letter sign shall not be located closer than 100 feet from a residential use or an undeveloped residentially zoned property.
f. Special use. The following use(s) shall comply with the following standards in addition to the requirements of this chapter:
1. Gas service stations.
   a. Gas service stations are permitted to display only the gas prices in electronic form as a special use.
   b. Gas service stations which display gas prices as electronic message signs shall comply with the requirements according to subsection 62-13(b)(7)a.—c. of the sign code, except that the display of gas prices can change at any time.

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**Notes:**

- P = Permitted
- NP = Not Permitted

1. Any use not listed is prohibited to have a message sign unless approved by the planning commission through a sign code waiver.

2. Changeable or electronic signs are prohibited in the TC/AC zoning districts.

3. Supportive housing includes nursing homes, assisted living, elderly housing.

(8) **Directory signs.** One directory sign not exceeding 25 square feet in size and six square feet in height shall be allowed to be placed in front of each individual building in the B-3 (office) zoning district.

(9) **Marquee signs.**

a. Marquee signs are allowed for theatres, including live performances and concert halls subject to planning commission approval.

(c) **Religious uses.** For all religious uses, only the following signs are hereby allowed subject to issuance of a permit in accordance with section 62-4 of this chapter.
(1) Master sign plans subject to planning commission approval.

(2) Wall signs.
   a. Number. Except for the case of multi-tenant buildings as regulated in section 62-13 of this chapter, there shall be not more than one wall sign for each principal building.
   b. Area. The gross surface area of a wall sign shall not exceed 2½ percent of the area of the building wall, including doors and windows, to which the sign is to be affixed or 60 square feet, whichever is smaller.
   c. Location. A wall sign may be located on the outermost wall of any principal building but shall not project more than ten inches from the wall to which the sign is to be affixed.
   d. Height. A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed. A wall sign shall not exceed 20 feet in height from the base of the building wall to which the sign is affixed.

(3) Freestanding ground signs.
   a. Number. There shall not be more than one freestanding ground sign for each principal building.
   b. Area. The gross surface area of a ground sign shall not exceed 50 square feet of area.
   c. Location. A ground sign may not be located closer than ten feet to any property line, right-of-way or driveway.
   d. Height. A ground sign shall not project higher than ten feet, as measured from preconstruction grade at the base of the sign.

(4) Auxiliary freestanding sign or banner.
   a. Number. There shall not be more than one auxiliary freestanding sign for each site.
   b. Area. The gross surface area of an auxiliary ground sign or banner shall not exceed 50 square feet of area.
   c. Location. An auxiliary ground sign or banner shall not be located closer than ten feet to any property line, right-of-way or driveway.
   d. Height. An auxiliary ground sign or banner shall not project higher than six feet, as measured from preconstruction grade at the base of the sign.
   e. Special conditions. Auxiliary signs and banners shall be attached to ground posts. While the sign or banner face and message may change throughout the year, the content of the sign message must directly relate to the religious organization’s use and operation. Auxiliary banners shall not be displayed for more than 14 consecutive days, and shall be limited to no more than 4 events per year (maximum total of 56 banner days per year).

(d) Special event signs. For all special event signs, only the following signs are hereby allowed for business uses subject to issuance of a permit in accordance with section 62-4 of this chapter:

(1) Grand opening signs. One grand opening sign not exceeding 30 square feet shall be allowed per business. The sign may be displayed for a maximum of 30 days.

(2) Banners. Special event banners shall be allowed for each business subject to the following:
   a. Banner size shall not exceed 30 square feet.
   b. Banners shall not be displayed for more than 14 consecutive days.
   c. Individual businesses shall be limited to three banner events a year.
   d. There shall be no more than two banners erected per site, at one time.
(e) **Restaurant uses.** "A" frame, sandwich board signs, sidewalk or curb signs, not exceeding eight square feet per side or four feet in height, for any restaurant that does not contain a changeable message sign are hereby allowed subject to the issuance of a permit, at no charge, but otherwise in accordance with section 62-4 of this chapter.

(1) "A" frame, sandwich board signs, sidewalk or curb signs shall be subject to the following standards:

   a. One sign, no more than two sides, per restaurant.

   b. Sign shall be placed on a level and stable surface and shall be internally weighted to prevent movement by wind gusts. Anchoring the sign to the building or ground with ties, chains or similar mechanisms is prohibited.

   c. Sign shall be constructed of finished materials such as wood, metal, aluminum or plastic. Rough-cut plywood or similar unfinished material is prohibited.

   d. Sign structure and message shall have a professional application. A chalkboard background with hand-written message is permitted however; a message by spray paint, stencil or similar application is prohibited. Background material such as paper, cardboard or similar material shall be prohibited.

   e. Sign structure and message shall not use highly reflective materials, colors or neon and shall not resemble a traffic sign.

   f. Sign shall not be illuminated or contain moving parts.

   g. Sign shall be displayed only during hours of operation.

   h. Sign placement shall maintain a minimum clearance width of four feet when located on any pedestrian walkway and shall not obstruct ingress/egress to site or building entrance(s).

   i. Sign placement for stand alone restaurants shall remain on private property outside of the public right-of-way, exempt from section 62-11(a) and (c).

   j. Sign placement for restaurants within a multi-tenant building shall maintain a maximum ten-foot setback from the restaurant's principle building entrance.


Sec. 62-14. - Existing signs.

(a) Existing signs which become nonconforming upon adoption of the ordinance from which this section is derived shall not be reconstructed, remodeled, relocated or changed in size unless such action will make the sign conforming in all respects with this section. Non-structural changes to an existing freestanding sign face as a result of tenant changes, business name changes, or other content related changes shall require compliance with the opaque sign face standard pursuant to section 62-15 of this chapter.

(b) A nonconforming sign or sign structure which is destroyed or damaged may be restored only after the owner has shown that the damage did not exceed 50 percent of the appraised value of the sign. If such sign or sign structure is destroyed or damaged to an extent exceeding 50 percent of the appraised sign value, it shall be removed and shall not be reconstructed or replaced unless such action makes the sign and sign structure conforming, in all respects, to this chapter. If restoration of a damaged sign is not completed within six months of the date damage occurred, such sign shall be
removed or replaced in a manner as will conform with all specifications of this section. Replacement signs may require planning commission approval.

(c) A nonconforming sign or sign structure shall be removed within 30 days of the date the building containing the use, to which the sign is accessory, is demolished or destroyed to an extent exceeding 50 percent of the building's appraised value.

(d) At any such time as the owner of any building or lot, on which a nonconforming sign(s) is located, requests planning commission approval for any change to the use, building or lot, the planning commission may require that such nonconforming sign(s) be removed or made to conform with this section as a condition of building or site approval.


(a) Architectural design.

(1) Freestanding ground signs. These signs shall be architecturally integrated with the principal building in the following manner:
   a. The base of the sign shall be constructed with the principal building's primary building material, to the greatest extent practical.
   b. The color scheme of the sign shall follow the color scheme of the principal building, to the greatest extent practical.
   c. Architectural features (e.g., sills, piers, reveals, capstones, medallions, etc.) which are part of the architectural style of the principal building shall be incorporated into the sign, to the greatest extent practical.
   d. The sign face shall be constructed with an opaque surface to allow internal light to only project through the cut-out lettering and/or logos.
   e. The sign code administrator and/or planning commission may approve, deny, or request changes to a proposed sign, based on the architectural design of that sign.

(2) Wall signs.
   a. Box signs shall be prohibited, unless approved by the planning commission as part of a total sign package.
   b. Channeled letter sign colors are subject to planning commission approval as part of a total sign package.
   c. Business logos or symbols may be allowed, but shall be included in the total sign calculation.

(3) Sign legibility.
   a. Signs shall serve a function of way finding and site identification. Property addresses shall be identified on the sign and the address shall have a minimum height of five inches.

(b) Structure design.

(1) Wind pressure. All signs shall be constructed, erected and maintained to safely withstand wind pressure as specified by Wisconsin State Statute and applicable administrative code.

(2) The design, construction and erection of all signs shall be by a competent professional in the sign design and construction industry.

(3) Wall signs attached to exterior building walls shall be anchored or attached in such a manner as will ensure stability and safety.

The city may cause any sign or other advertising structure which is, in their opinion, an immediate peril to persons or property to be removed summarily and without notice.

(1) Appearance requirements.

a. The owner of any sign as defined and regulated by this section shall be required to properly maintain the appearance of all parts and supports of their sign as directed by the city. Proper installation is required and shall be defined as follows:

Stakes firmly placed in ground and a minimum of 12—18 inches beyond the width of the banner with elastic cords.

b. In the event that the sign owner does not provide proper sign maintenance within 60 days after written notification from the city, the sign may be removed as provided in this section.

(2) Removal of certain signs and billboards.

a. Any sign or billboard now or hereafter existing which no longer advertises a bona fide business or product, or which is dilapidated, out of repair, unsafe, insecure, or has been constructed, erected or maintained in violation of the provisions of this section shall be taken down and removed by the owner, agent, or person having the beneficial use of the building or land upon which such sign may be found. If within ten days after written notification from the city the sign owner fails to comply with such notice the city may remove such sign. Any expense incident thereto shall be paid by the owner of the building or land to which such sign is attached. In the event such cost and expenses are not paid within 30 days from the date of billing, then the costs and expenses incurred for such removal shall be assessed against the real estate upon which such sign is located and collected as other taxes are collected on said real estate.

b. Any sign which is constructed without proper approval and permit shall be removed or must be issued a proper permit within five days notice to the owner by the city. In the event that the owner of such sign is not issued a proper permit or fails to remove said sign, the city may remove such sign. Any expense incident thereto shall be paid by the owner of the building or land to which such sign is attached. In the event such cost and expenses are not paid within ten days from the date of billing, then the costs and expenses incurred for such removal shall be assessed against the real estate upon which such sign is located and collected as other taxes are collected on said real estate.

c. In the event that the owner of an illegal sign cannot be ascertained by the city, then notice as indicated in this section shall be given to the owner of the real estate upon which the sign is located. In the event that the owner of the real estate is not issued a proper permit or does not remove the sign within ten days then such sign may be removed by the city. Any expense incident thereto shall be paid by the owner of the building or land to which such sign is attached. In the event such cost and expenses are not paid within ten days from the date of billing, then the costs and expenses incurred for such removal shall be assessed against the real estate upon which such sign is located and collected as other taxes are collected on said real estate.

d. If a permit is denied, the city shall issue a five-day removal notice. If the sign is not removed within the five day period, the sign may be removed by the city. Any expense incident thereto shall be paid by the owner of the building or land to which such sign is attached. In the event such cost and expenses are not paid within ten days from the date of billing, then the costs and expenses incurred for such removal shall be assessed against
the real estate upon which such sign is located and collected as other taxes are collected on said real estate.

e. The cost of removing any signs located in the road right-of-way at the time the road is widened, and such signs must be removed, shall be paid by the sign owner.

(Ord. No. 2004-1108, § I(16.16), 6-8-2004; Ord. No. 2013-1407, § I, 4-8-2014)

Sec. 62-17. - Waivers or modifications.

The planning commission or park and open space board, if the land is within a public park or preserve, may waive or modify the provisions of this chapter where it would further the public interest and uphold the purpose of this section as put forth in section 62-2. Such waiver or modification, including those requested through a master sign plan, may be based on, among other things, site specific hardships such as topographic aberrations and visual encumbrances.


Sec. 62-18. - Temporary moratoria; penalty; enforcement by injunction; declared nuisances.

(a) Temporary moratoria. The common council may, by resolution adopted from time to time, prescribe limited periods in which enforcement of some or all of the restrictions of this chapter may be temporarily suspended.

(b) Penalty. Any person, firm, company or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this chapter shall be subject to a forfeiture pursuant to section 1-7 of the City of Mequon Code of Ordinances. Each day that a violation exists shall constitute a separate violation and be punishable as such.

(c) Enforcement by injunction. Compliance with the provisions of this chapter may also be enforced by the injunction order at the suit of the city or one or more owners of real estate situated within an area affected by the regulations of this chapter.

(d) Declared nuisances. Any sign or similar advertising structure erected, structurally altered, painted, moved or maintained in violation of the provisions of this chapter is hereby declared to be a nuisance per se, and the city may apply to any court of competent jurisdiction to restrain or abate such nuisance.


Sec. 62-19. - Severability.

If any section, clause, provision, or portion of this chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected thereby. If an application of this chapter to a particular sign or structure is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other sign or structure not specifically included in said judgment.


Sec. 62-20. - Master sign plan confirmation.
Master sign plan approvals shall require common council confirmation upon written request from two alderman or one alderman and the mayor. Such request shall be made within 14 days of the corresponding planning commission approval of the master sign plan. The burden of persuasion on the issue of whether the master sign plan, as proposed, complies with the requirements of this chapter remains at all times on the applicant.

(Ord. No. 2012-1378, § I, 7-10-2012)
TO: Public Welfare Committee  
FROM: Justin Schoenemann, Assistant City Administrator  
DATE: July 29, 2019  
SUBJECT: Working Calendar

<table>
<thead>
<tr>
<th>Month</th>
<th>Agenda Topics</th>
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| July  | Begging & Soliciting Alms (Continued)  
       | Sign Code (Continued)  
       | Committees Eligible for Electronic Participation (Continued)  
       | Chapter 58: Bee Keeping & Dog Leash Ordinances  
       | Community Survey Update |
| August | Sign Code (Continued)  
         | Committees Eligible for Electronic Participation (Continued)  
         | Polling Locations Update |
| September | Sign Code (Continued)  
          | Committees Eligible for Electronic Participation (continued)  
          | Nuisance Ordinance Review |

**Future Agenda Topics**

- Logo Redesign/Branding  
- Architectural Board Review  
- Nuisance Ordinance Review  
- Home Program Review/Renewal  
- Standing Committee Review  
- Adult Entertainment  
- City Inspections Division Review

**2018-2019 Completed Items**

- Chapter 58 Clean-Up  
- Begging & Soliciting Alms  
- Record Retention Policy  
- OpenGov Demonstration  
- Bird City USA Designation  
- Bee City USA Designation  
- Begging and Soliciting Alms Ordinance  
- District 5 Polling Place Relocation  
- Ordinance to Limit Future Apartment Projects in the TC Zoning District  
- Mequon Nature Preserve Hunting Ordinance  
- Fireworks Permit Restrictions Amendment  
- Board of Review Ordinance Amendment  
- Board of Appeals Forms Review  
- Combining Wards  
- Closed Session Procedures  
- Updating the Standard Resolution Format  
- Customer Service Feedback Form  
- Board of Appeals Regular Meeting Establishment  
- Public Communications Plan  
- Public Communications Policy